

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

DOMINICK A. GRAVES,
#45521)
Plaintiff,
vs.
DWIGHT NEVEN, *et al.*,
Defendants.

2:10-cv-02211-JCM-GWF

ORDER

Presently before the court is the matter of *Graves v. Nevada Division of Parole and Probation* (Case No. 2:11-cv-00242-JCM-CWH).

Federal Rule of Civil Procedure 4(m) provides: "If a defendant is not served within 120 days after the complaint is filed, the court—on motion or on its own after notice to the plaintiff—must dismiss the action without prejudice."

Plaintiff filed the complaint on December 17, 2010 in state court and the action was removed to this court on February 14, 2011. (Doc. #1). Pursuant to Federal Rule of Civil Procedure 4(m), on July 11, 2011, the clerk of the court provided notice to plaintiff that the action would be dismissed as to defendant Nevada Division of Parole and Probation, if plaintiff did not file proof of service of process by August 10, 2011. (Doc. #22).

1 The 4(m) notice was returned to the court as undeliverable and plaintiff has failed to furnish the
2 court with an updated address in accordance with LSR 2-2. To date, plaintiff has failed to file proof of
3 service with the court as to Nevada Division of Parole and Probation.

4 Accordingly,

5 IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the above-captioned case be,
6 and the same hereby is, DISMISSED without prejudice.

7 DATED this 17th day of October, 2011.

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12 UNITED STATES DISTRICT JUDGE

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